

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Fitzpatrick Container Co., : Chapter 7
 : :
Debtor. : Bky. No. 20-14139 (PMM)

ORDER RESCHEDULING DATE AND TIME FOR
SHOW CAUSE HEARING TO DETERMINE IF THOMAS J. SHALLOW, JR. SHOULD
BE INCARCERATED FOR FAILURE TO COMPLY WITH COURT ORDERS

AND NOW, an Order to Appear and Show Cause having been entered on March 31, 2022 and amended on April 1, 2022 (doc. #'s 72 and 74, collectively the "Show Cause Order");

AND the Show Cause Order having, *inter alia*, scheduled a Show Cause Hearing on April 26, 2022, directing Thomas J. Shallow, Jr. ("Mr. Shallow"), the owner and manager of the Debtor, to appear;

AND the Show Cause Hearing having been rescheduled three (3) times prior to now (doc. #'s 82, 84, and 86);

AND the parties having requested to reschedule the Show Cause Hearing again;

It is hereby **ordered** that:

- 1) The relief and provisions of the Show Cause Order remain in full effect, including the amount of and direction to Mr. Shallow to pay sanctions;
- 2) Mr. Shallow **SHALL APPEAR** for a hearing on Tuesday, June 28, 2022, at 1:00 p.m. CDT; 2:00 EDT (the "Show Cause Hearing") **in the United States Bankruptcy Court, 200 Jefferson Ave., Courtroom 680 (sixth floor), Memphis, TN 38103** and **show cause why he should not be subject to additional sanctions, including but not limited to incarceration, for failure to comply with the Rule 2004 Order (doc. #47) and the Contempt Order (doc. #60);**

- 3) The Show Cause Hearing will be conducted via teleconference with the undersigned Judge;
- 4) The United States Marshals Service is hereby **DIRECTED TO APPREHEND** Mr. Shallow on Tuesday, June 28, 2022 and transport him to the Show Cause Hearing. The United States Marshals Service is **AUTHORIZED** to use reasonable force, if necessary, to execute this Order, up to and including entering any private residence, office, or other location in which the Marshals Service believes Mr. Shallow resides or is located and to arrest any and all persons who obstruct, attempt to obstruct, or interfere in any way with the enforcement of this Order.
- 5) Mr. Shallow is strongly encouraged to retain counsel prior to the Show Cause Hearing;
- 6) Counsel for the Petitioning Creditors shall provide personal service of this Order to Mr. Shallow, see Bankruptcy Rule 7004.
- 7) This Order and the scheduled Show Cause Hearing shall not preclude Mr. Shallow from complying with the Court's previous Orders and cooperating with counsel for the Petitioning Creditors. See Rule 2004 Order and Contempt Order.

Date: June 13, 2022



HON. PATRICIA M. MAYER
U.S. BANKRUPTCY JUDGE